

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

*New Case*

UNITED STATES,

Plaintiff,

v.

VINCENT DIMODICA,

Defendant.

:  
:  
: Criminal Action No. 71-683 (SDW)  
:  
:  
:

ORDER

*civil*  
*08-6156*  
*(SDW)*

IT APPEARING THAT:

1. On May 2, 2008, Defendant Vincent DiModica, a pro se litigant currently confined at F.C.I. Otisville, Otisville, New York, a person convicted on various charges, submitted his civil challenge to the fact of his 1997 conviction, as well as to incidents of his confinement associated with that conviction, asserting that his 1997 conviction and confinement were erroneous in light of his 1974 conviction. See Docket Entry No. 1.
2. The Clerk's Office erroneously docketed this civil challenge as a motion in DiModica's closed criminal matter, which resulted in his 1974 conviction.
3. On September 3, 2008, DiModica submitted his amended civil challenge. See Docket Entry No. 2.
4. On October 8, 2008, the United States submitted a response to DiModica's filings. See Docket Entries Nos. 3 and 5.

5. On November 6 and 13, 2008, DiModica filed requests for extensions of time to reply to the United States's response. See Docket Entries No. 6 and 7.

IT IS on this 4th day of December 2008,

ORDERED that DiModica's request for an extension of time to reply is granted, and he may file his reply within twenty days from the date of entry of this Order; and it is further

ORDERED that the Clerk shall open a new civil matter for DiModica in order to enable the Court to address his civil challenges; and it is further

ORDERED that the Clerk shall designate the "nature of the suit" of this newly opened matter as a "530 series (a habeas corpus - general application by a pro se prisoner)"; and it is further

ORDERED that the Clerk shall designate DiModica as Petitioner and the United States and Warden of F.C.I. Otisville as Respondents in that newly opened matter, who are being represented by Randall Hastings Cook, Assistant United States Attorney at the Office of the United States Attorney, 970 Broad Street, Newark, New Jersey 07102, tel. 973-645-2700, email <<randal.cook@usdoj.gov>> (hereinafter "Respondents' Counsel"); and it is further

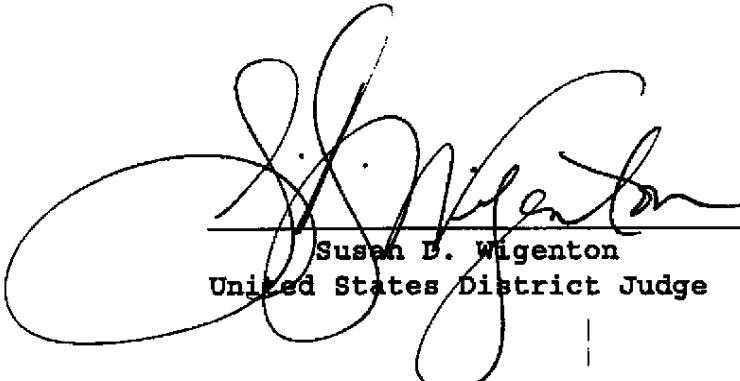
ORDERED that the Clerk shall docket, in that newly opened matter, the following documents docketed in the instant action: Docket Entry No. 1 (designating it as "Petition"), Docket Entry No. 2 (designating it as "Amended Petition"), Docket Entry No. 3

(designating it as "Answer"); Docket Entry No. 5 (designating it as a "Supplemental Answer"), Docket Entry No. 6 (designating it as "Petitioner's Motion"), Docket Entry No. 7 (designating it as "Petitioner's Amended Motion"), and the instant Order; and it is further

**ORDERED** that the Clerk shall serve a copy of this Order upon Respondents' Counsel by means of electronic delivery; and it is further

**ORDERED** that the Clerk shall serve copies of this Order and the docket sheet of the newly opened matter upon Petitioner by certified mail, return receipt requested; and it is finally

**ORDERED** that the Clerk shall administratively terminate the instant matter.

  
Susan D. Wigenton  
United States District Judge

cc: *Pro Se Attorneys*

## Orders on Motions

2:71-cr-00683-SDW USA v. DIMODICA CASE CLOSED on 05/02/2008

U.S. District Court

District of New Jersey [LIVE]

### Notice of Electronic Filing

The following transaction was entered on 12/15/2008 at 11:39 AM EST and filed on 12/15/2008

**Case Name:** USA v. DIMODICA

**Case Number:** 2:71-cr-683

**Filer:**

**Document Number:** 8

#### Docket Text:

**ORDER granting [6] Motion for Extension of Time to File Response/Reply as to VINCENT DIMODICA (1); granting [7] Motion for Extension of Time to File as to VINCENT DIMODICA (1). Reply within twenty days from the date of entry of this order.. Signed by Susan D. Wigenton on 12/4/08. (jn, )**

**2:71-cr-683-1 Notice has been electronically mailed to:**

RANDALL HASTINGS COOK randall.cook2@usdoj.gov

**2:71-cr-683-1 Notice will not be electronically mailed to::**

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1046708974 [Date=12/15/2008] [FileNumber=3118353-0] [28308f15e68ca93e017229ff77f4c69cd27d8d37b183ec481cd236dfa2f86d0c7a6ff2ea988165e9634a9920fd70f352b253b67f5f4d87ce7b1e1e9c06614926]]

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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Plaintiff,	:	Criminal Action No. 71-683 (SDW)
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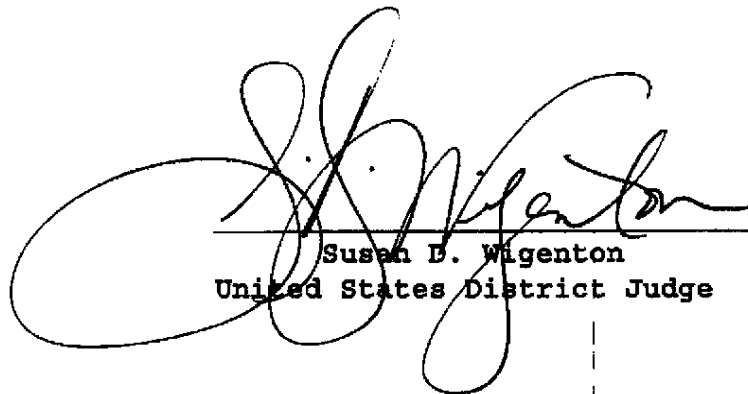
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Susan E. Wigenton  
United States District Judge

cc: *Pro Se Attorneys*

## Utility Events

2:71-cr-00683-SDW USA v. DIMODICA CASE CLOSED on 05/02/2008

**U.S. District Court**

**District of New Jersey [LIVE]**

## Notice of Electronic Filing

The following transaction was entered on 12/15/2008 at 11:42 AM EST and filed on 12/15/2008

**Case Name:** USA v. DIMODICA

**Case Number:** 2:71-cr-683

**Filer:**

**Document Number:** No document attached

**Docket Text:**

**\*\*\*Set/Clear Flags as to VINCENT DIMODICA (jn, )**

**No public notice (electronic or otherwise) sent because the entry is private**